

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

AMERICAN EAGLE OUTFITTERS, INC.,)	
)	
Plaintiff,)	Civil Action No. 13-CV-01290 (AJS)
)	
v.)	
)	Hon. Arthur J. Schwab
VISA INC., VISA U.S.A. INC., VISA)	
INTERNATIONAL SERVICE)	
ASSOCIATION, MASTERCARD)	ELECTRONICALLY FILED
INCORPORATED, and MASTERCARD)	
INTERNATIONAL INCORPORATED,)	
)	
Defendants.)	

**STIPULATION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT
PURSUANT TO LCvR 7E**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties herein, who state as follows, that Defendants' Visa Inc., Visa U.S.A. Inc., Visa International Service Association, MasterCard Incorporated, and MasterCard International Incorporated (collectively, "Defendants") time to answer, move, or otherwise respond to Plaintiff's Complaint is extended to January 23, 2014:

1. Plaintiff American Eagle Outfitters, Inc. ("Plaintiff") filed a Complaint naming Defendants on or about September 4, 2013.
2. On September 9, 2013, Defendants filed a Notice of "Tag-Along" Action with the Judicial Panel on Multidistrict Litigation ("JPML") requesting transfer of this action to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings with *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, No. 05-MD-1720 (JG)(JO) ("MDL 1720").

3. On September 12, 2013, the JPML issued a conditional transfer order (“CTO-9”) transferring this matter to the Eastern District of New York and assigning it to the Honorable John Gleeson in MDL 1720.

4. On September 19, 2013, Plaintiff filed in MDL 1720 a Notice of Opposition, indicating its intent to object to the transfer of this action to MDL 1720. In accordance with the JPML’s scheduling order, Plaintiff’s Motion to Vacate CTO-9 was filed on October 3, 2013 and Defendants’ response was filed on October 24, 2013. The JPML will consider Plaintiff’s Motion to Vacate, without argument, at its session on December 5, 2013.

5. Counsel for Plaintiff requested that each of the Defendants agree to waive of service of the Complaint in a request dated October 8, 2013. Defendants agreed to waive service and therefore are required to answer, move, or otherwise respond to the Complaint on or before December 9, 2013. *See* ECF Dkt. No. 4 and 5.

6. Due to the pending motion before the JPML, which will be resolved after the JPML’s December 5, 2013 session, the parties believe that an extension is appropriate under the circumstances and hereby agree to extend the time for Defendants’ response to the Complaint for 45 days as permitted by Local Rule 7E.

7. This is the parties’ first stipulation to extend Defendants’ time to answer, move, or otherwise respond to the Complaint.

WHEREFORE, the parties stipulate that the time within which Defendants must answer, move, or otherwise respond to the Complaint is extended to January 23, 2014.

DATED: November 18, 2013

Respectfully Submitted,

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